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HUMAN RIGHTS NETWORK

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Recycled County Supremacy Gains Traction, Lacks Legal Basis: Gubernatorial Candidate Supports "Coordination" During Debate

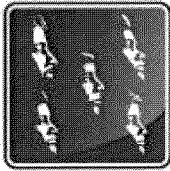
Right-wing activists claim that "coordination" is how Montanans can overrule federal land-use policies and jumpstart local economies. Its supporters claim federal law allows county governments to force federal agencies to implement local directives. Gubernatorial candidate Rick Hill even endorsed "coordination" during a debate in mid-October. However, "coordination" is nothing more than the latest version of county supremacy, a longtime doctrine of the anti-government movement.

Today, the Montana Human Rights Network issued a report about the history and potential impacts of "coordination" in Montana. It details the anti-government and white supremacist roots of county supremacy and "coordination." The report also examines how "coordination" has entered mainstream political debate. Finally, it includes a legal analysis of what federal law and rulemaking actually says about "coordination."

"There's a long list of problems associated with 'coordination,'" says the Montana Human Rights Network's Travis McAdam. "The primary one is that it doesn't exist in federal law and rulemaking like proponents claim. Another is that it is based on hardcore anti-government ideology that channels threats and intimidation towards federal land managers."

John Trochmann, former Aryan Nations follower and founder of the Militia of Montana, has played a central role in developing and promoting "coordination" in Montana. He's one of the key activists behind the Sanders Natural Resource Council, which serves as the "coordination" catalyst in Montana. See the report's *The Birth of the Sanders Natural Resource Council and "Coordination"* for more details.

"John Trochmann has made a career out of creating and exploiting anger directed at the federal government," says McAdam. "Now, he and others claim to have the silver bullet to jumpstart local economies. Instead, they're arming counties with empty promises that anti-government activists hope will finally spark the revolution they've been wanting for decades."



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“Coordination:”

New Name for the Anti-Government Doctrine of County Supremacy

It's not hard to find right-wing activists promoting county supremacy in communities across Montana and the western United States. Sometimes they stress the supposed ability of the county commission to control all the land within its boundaries and to ignore environmental regulation in favor of extractive industry. Other times they focus on claims that the county sheriff is charged with keeping federal agencies from enforcing tax, firearms, environmental, and other laws. Frequently, activists promote both versions of county supremacy at the same time, which ignites anti-government sentiment in local communities.

As the term “county supremacy” began accumulating negative political baggage over the years, right-wing activists needed a change. More and more, county-supremacy advocates are using a new euphemistic term for this hallmark of anti-government ideology. The new rallying cry is “coordination.” The basic idea is that county governments can adopt plans that contradict federal policy (i.e. more logging in national forests or killing more wolves than allowed under the law). With this local plan in hand, according to “coordination” proponents, the county can force federal agencies to come to the table and “coordinate” on achieving the county's objectives. Proponents frequently claim their version of “coordination” is mandated by federal law.

The truth is that the “coordination” peddled by right-wing activists doesn't exist in federal law or rulemaking (see *Legal Analysis of “Coordination”* below). Counties tricked into pursuing “coordination” are only in for bad outcomes. It won't be a boom for local economies. Instead, it will produce long and expensive litigation based on unwinnable legal arguments. “Coordination” will only serve to stoke anti-government sentiment in communities.

Statewide exposure to “coordination” took off during the 2011 Montana Legislature, when a bill to place “coordination” in state statute passed the Senate before dying in the House. However, during the legislative session and since, “coordination” supporters have targeted county commissioners around Montana with some success. Right now, various counties are using “coordination” to try and subvert various environmental regulations, eradicate wolves, and co-opt water rights.

While “coordination” continues to gain traction in Montana, even surfacing during the 2012 campaign season (see *Bubbling Up in 2012 Campaigns* below), the concept is just a new version of longtime anti-

government beliefs. In Montana, activists in Sanders County are key players in “coordination” efforts, and the Militia of Montana’s John Trochmann plays a central role.

John Trochmann: Building Bridges between Right-Wing Extremists

A pioneering founder of the 1990’s militia movement, John Trochmann and members of his family started the Militia of Montana (MOM) in 1994. Prior to founding MOM, Trochmann spoke at and attended meetings at Idaho’s Aryan Nations.¹ In the mid-1990s as MOM attempted to portray itself as mainstream, Trochmann tried desperately to distance himself and MOM from racist beliefs and Aryan Nations. Richard Butler, leader of Aryan Nations, responded with a letter asking why Trochmann lied about the number of times he had visited the hate group. The letter also stated Trochmann attended several of the group’s Bible studies and helped draft a code of conduct for the Aryan Nations compound.² Over the years, MOM distributed material by well-known white supremacists, racist websites, and activists who deny the Holocaust. Its newsletter also published articles claiming Jewish people are the “synagogue of Satan” and control the government.³

Aryan Nations wasn’t Trochmann’s only connection to the white supremacist movement. MOM grew out of another group he helped organize, United Citizens for Justice (UCJ). Well-known white supremacists comprised UCJ’s leadership. They included: Chris Temple, a self-proclaimed neo-Nazi;⁴ Paul Hall, editor of a Christian Identity-based (the religion of Aryan Nations) publication; Christian Identity Pastor Dave Barley of Idaho’s America’s Promise Ministries; and Louis Beam, a former leader of the Texas Ku Klux Klan and ambassador for Aryan Nations.⁵ UCJ collapsed amid infighting, and MOM emerged from the ashes.

In helping create the militia movement of the early 1990s, Trochmann and other architects created something far from benign. The movement spawned activists like Timothy McVeigh, the Oklahoma City bomber, and many other dangerous activists.⁶ However, the founders of the militia movement didn’t fashion something completely original. Instead, much of the ideology and structure grew out of the 1970s and 1980s Posse Comitatus. Latin for “power of the county,” the Posse combined racism, anti-Semitic conspiracy theory, and paramilitary organizing. The Posse believed citizens weren’t subject to state or federal authorities and that the county sheriff was the highest legitimate law officer. The group swore to use force to oppose any perceived encroachment by federal institutions.⁷ MOM has sold Posse Comitatus T-shirts at gun shows featuring the slogan “The Power of the County.”⁸

Posse ideology combined with two incidents in the early 1990s—Idaho’s 1992 Ruby Ridge standoff and the 1993 siege of the Branch Davidians in Waco, TX—to serve as the catalyst for the 1990’s militia movement. Waco and Ruby Ridge provided anti-government activists with vivid examples for their message. They claimed the federal government’s actions at Ruby Ridge and Waco manifested its real agenda to forcibly disarm and kill those of its citizens who didn’t accept one-world government.

Trochmann and numerous founders of the militia movement saw a chance to tap into the political mainstream by playing up anti-government sentiment and one-world government conspiracy theories (minus the blatant anti-Semitism) and focusing on issues like guns and taxes (instead of race). Despite

this effort, Trochmann and MOM couldn't avoid controversy and trouble with the law. A few examples include:

- In 1995, Trochmann and others were arrested in Roundup, MT, following an armed confrontation with law officers after Trochmann's group tried filing documents supporting the Montana Freeman. When they were arrested, the "patriots" were equipped with plastic restraining devices, \$80,000 in cash and coins, and numerous weapons.⁹ Charges against Trochmann were later dropped.
- In 2005, Trochmann faced charges of kidnapping and assault in Spokane after roughing up his niece, because he believed she had stolen a firearm from him.¹⁰ The charges were eventually dropped, but not before MOM shelled out \$10,000 for an attorney.¹¹

Overall, the militia movement took big hits in 1995 and 2000. When militia-adherent Timothy McVeigh bombed the federal building in Oklahoma City in 1995, the more moderate members of the movement started defecting, not wanting to be associated with terrorism and the murder of fellow Americans. Similarly, hardcore militia supporters predicted the collapse of civilization in the hysteria leading up to the year 2000. When the collapse didn't occur, the movement's credibility continued to weaken.

MOM itself really started to fall apart in 2006. The group announced it was scaling back at its headquarters, wouldn't be maintaining regular office hours, and MOM personnel had to find other jobs to make ends meet. However, MOM drama returned briefly when John Trochmann's brother ousted him from the group for cheating on his longtime wife. Trochmann soon formed a new group, the Coalition for Men's Rights, which was comprised of men who had restraining orders against them for spousal abuse.¹²

Hardcore Militia Activists Focus on Property Rights

As the militia movement's impact waned, the Montana Human Rights Network noticed another trend. The hardcore believers, like Trochmann, didn't change their beliefs and go home. Instead, they started migrating more and more to property rights battles. It was a natural progression in rural areas where the federal government managed large pieces of land. As author Ken Stern put it when describing the local mood regarding the standoff at Ruby Ridge:

"People viewed their largest neighbor [the federal government] as an impersonal and absentee landlord, promulgating bothersome land-use rules seemingly at whim. These rules, in turn, affected what local residents could do with their own land, and produced an anti-federal animus...."¹³

Trochmann and MOM, always looking for contentious issues in the political mainstream they could use to stoke anti-government sentiment, gravitated towards disputes over land-use management. The idea of county supremacy provided the bridge between hardcore anti-government and anti-environmental activities.

County supremacy at its basic level teaches that all political power should rest at the county level. Generally, there are two versions of the idea. One version is often espoused by the anti-environmental "wise use" movement. It holds that the county commission should have ultimate authority in

determining what is done with all the land within a county's boundaries, including land that is currently under the jurisdiction of federal and state agencies. A supposed result is that the local economy would improve, because commissioners could allow extractive industry to circumvent state and federal land-use regulations. The second version of county supremacy (mentioned above) was popularized by the Posse Comitatus and focuses on the sheriff as the supreme law officer of the land. Frequently, especially at the local level, these two versions of county supremacy merge. In 1996, a police chief in Washington said, "Sometimes I have a hard time telling where the militia starts and the land-use movement ends."¹⁴

The overlap between anti-government and "wise use" groups isn't new. According to Trochmann, the "wise use" movement fits with the militia's platform.¹⁵ A pioneering group of the "wise use" movement and county supremacy, the National Federal Lands Conference, advocated forming militias in the early and mid-1990s.¹⁶ It also listed MOM's contact information in its newsletter.¹⁷

This type of relationship can also be seen between MOM and one of the state's largest "wise use" groups, Montanans for Multiple Use (MFMU). MFMU and MOM have followed and participated in many of the same events over the years. MOM has circulated notices for MFMU events and seminars, along with policy positions by the group.¹⁸ The overlap wasn't just ideological. In 2001, MFMU's list of business members and supporters included the Militia of Montana.¹⁹

As the overlap between county supremacy advocates and hardcore anti-government sentiment continued to grow, increased critical exposure detailed the underpinnings of county supremacy. As political baggage accumulated, right-wing activists needed a new way to promote this old idea. The new term for the recycled doctrine of county supremacy became "coordination."

The Birth of the Sanders Natural Resource Council and "Coordination"

As far back as 2004, the Montana Human Rights Network received reports about John Trochmann promoting key elements of what would become "coordination." Local community members told the Network that Trochmann was meeting with Sanders County Commissioners and urging them to create a natural resource advisory committee. Trochmann claimed such a committee could attain a position with federal agencies of equal status when it came to determining policy on federal lands in the area.²⁰ The Network believes this was an early step in the series of events that created the Sanders Natural Resource Council, and local media reports credit Trochmann with originally bringing the Council's plans to the Sanders County Commission.²¹

According to one of the founders of the Sanders Natural Resource Council (SNRC), the group officially came together in 2006. In an online essay, Ron Olfert stated SNRC formed following some Montanans attending a seminar in Utah by Stewards of the Range. Olfert said this seminar helped activists understand that they should push for "coordination." At its initial meeting, SNRC began crafting its Natural Resource Plan, which would become a major talking point during the 2011 Montana Legislature (see *"Coordination" at the 2011 Montana Legislature* below).²² Trochmann was one of the SNRC activists who brought the plan and push for "coordination" to Sanders County Commissioners.²³ The local newspaper describes Trochmann as a "key player in the SNRC," and minutes from Sanders County Commission meetings list him attending as a SNRC member.²⁴

Trochmann isn't the only SNRC activist with a militia and white supremacist past. Public records also reveal that Ed Dosh is a SNRC activist.²⁵ A longtime MOM member, Dosh worked the gun-show and preparedness expo circuit with the group during the 1990s.²⁶ He's been a close associate of John Trochmann ever since.²⁷ Dosh was also a founding member of the Church of True Israel, a white supremacist group that splintered off from Aryan Nations in the mid-1990s.²⁸

On an anti-government radio show in December 2011, Trochmann discussed how SNRC, the militia, and the supremacy of the county sheriff all flowed together. He confirmed that he and his brother were still running MOM. However, he said he wasn't organizing under the militia banner anymore. Instead, he said, "the name is shifting [from militia] to the sheriff's posse." Trochmann said the shift was necessary because state law made it "impossible" to train an "armed militia." He claimed achieving his goals was easier if it was done under the "sheriff's posse." "The names may change," Trochmann told listeners, "but we're still the same." He said organizing his unit with Sanders County Sheriff Tom Rummel was "the safe" way to organize. He said he trusted Sheriff Rummel "with my life."²⁹

At the same time, Trochmann talked about how SNRC formed with the purpose of "going after the Forest Service." He claimed he was working on paperwork with Sheriff Rummel so the sheriff could stop the Forest Service from closing roads. When the radio host asked about the ramifications of a sheriff arresting a federal employee, Trochmann responded that they wanted "confrontation sooner rather than later." Trochmann also complained that the federal government was taking over all the natural resources in the area.³⁰

During the radio interview, Trochmann also relayed a new bizarre conspiracy theory focused on an issue of great importance to SNRC—bear management plans:

"They are putting these management operations right over the top of us here in little, tiny Noxon...[Each community] has its own bear-management unit. If you try to do anything with these bears—they have collars on them—if you plug one of them and the heart stops, there will be a satellite over the top of you instantly to take your pictures and call out the game warden instantly...."³¹

Trochmann's scare tactics sounded similar to those employed by SNRC earlier this year at public events about bear-management plans. The group claimed the plans were a mechanism to shut down those areas to hunting, hiking, camping, and timber harvesting.³² A central figure at these SNRC events was state Sen. Greg Hinkle (R-Thompson Falls), also a SNRC member. It was Hinkle who took SNRC's "coordination" effort to the statewide level in 2011.

"Coordination" at the 2011 Montana Legislature

John Trochmann, SNRC, and Sen. Greg Hinkle (R-Thompson Falls) brought their "coordination" scheme to the statewide stage of the 2011 Montana Legislature. Hinkle sponsored SB 117, the "Montana Coordination Act of 2011," which sought to place their ideas in state law. At the hearings on his bill, Hinkle had plenty of support from his SNRC allies, while most of the opposition came from representatives of county governments.

At the bill's Senate committee hearing, Hinkle distributed a four-page paper outlining the supposed basis for "coordination." The document accused the federal government of attempting to "pre-empt state and local authority in violation of the Tenth Amendment" and claimed "coordination" would establish a "government-to-government process to level the playing field." It stated that federal agencies often exceeded the "authority given them by Congress," and "coordination" would "give citizens a chance to resist arbitrary, outside the law decisions through their locally-elected officials." The paper outlined how "coordination" would give locals more access to natural resources. The document included a list of federal laws supposedly mandating "coordination." The paper's conclusion said the bill would help bring back "local control from runaway big governments."³³

During his opening on SB 117 in the Senate committee, Hinkle pitched the proposal as a jobs and economic bill. He said it would "revitalize" local economies and stop environmentalists from "shutting off access" to natural resources. He stated over 80% of the land in Sanders County is public land, and "coordination" would give the county access to trees in the national forest. However, he also alluded to the fact that the Sanders County Commission (in his home district) hadn't fully embraced "coordination."³⁴

A cross section of Montana's right wing showed up to back Hinkle's proposal. Representatives and activists from Montanans for Multiple Use and Citizens for Balanced Use (two leading "wise use" groups in the state) testified in support of the bill. Tea Party activists also backed the bill. However, many of the supporters came from Sanders County.³⁵ Ron Olfert testified on SNRC's behalf. His written testimony revealed the significant problem with the claims about "coordination." Olfert acknowledged that "the mechanics of how coordination is to be implemented are not written in federal law [emphasis in original]."³⁶

Opposition to SB 117 came from the Montana League of Cities and Towns, Montana County Attorneys Association, Montana Association of Counties, and individual representatives from local government. They cited the potential costs to local government, and the disparities between how Hinkle described "coordination" functioning, what was written in SB 117, and what supporters claimed about the "coordination" process.³⁷

Before her committee voted on the bill, Sen. Lynda Moss (D-Billings) reported that she talked to Sanders County Commissioners who felt the bill was an "unfunded mandate" and would harm the good relationships they had with federal agencies. The Senate Local Government Committee passed the bill 5-4 along party lines.³⁸ Introducing his bill on the Senate floor, Hinkle claimed SNRC's Natural Resource Plan would make the Forest Service meet the county's need to get the local timber economy going again. Sen. Gene Vuckovich (D-Anaconda) correctly told his colleagues that federal law doesn't recognize "coordinating agencies."³⁹ On a party line vote, SB 117 passed the Senate 28-22.

Hinkle's bill faced a tougher road in the House. When the House committee heard his bill, Hinkle again framed it as a "jobs" bill. In his home county, he said SNRC's Natural Resource Plan could be used to make the Forest Service implement timber harvests. "It's about putting people back to work," he told the committee. He also talked about how "coordination" gave federal and local government equal status.⁴⁰

County governments and their associations more actively opposed SB 117 in the House. Commissioners from Beaverhead and Jefferson counties discussed how passing the bill would negatively impact the good relationships the counties had with federal agencies. Commissioner Jane Weber, speaking on behalf of the entire Cascade County Commission, said SB 117 "may be illegal" and might violate the Supremacy Clause of the US Constitution. However, the most damaging testimony came from the Montana Association of Counties (MACO).⁴¹

Harold Blattie, representing MACO, started off by saying he had no opinion on the virtues of "coordination." Blattie reported that he had e-mailed his counterparts in other Western states and asked if they had seen similar proposals to SB 117. He submitted a chart of his results. He also submitted damning testimony from Craig Sullivan, head of the County Supervisors Association of Arizona.⁴² Sullivan reported that a law similar to SB 117 had passed in his state in 2010. He said it had done nothing to make federal agencies more willing to work with local governments. Sullivan wrote:

"The biggest impact of the legislation, unfortunately, has been the impression it created among rural county residents that their [county] supervisors could now demand coordination and thereby influence or even prevent the implementation of federal programs with which they disagree...."⁴³

During executive action, House committee members talked about hearing from Hinkle's home commissioners in Sanders County who didn't want the bill to pass. Rep. Dick Barrett (D-Missoula) stated the idea of "coordination" had been "grossly oversold to people." He said supporters thought it would lead to timber jobs, but it wouldn't. Rep. Tom Berry (R-Roundup), alluding to the hardcore anti-government underpinnings of SB 117, said his county was "full of freemen" who would abuse the "coordination" process if it was established.⁴⁴

Potentially the most important opposition during executive action came from Rep. Pat Ingraham (R-Thompson Falls). She said she co-sponsored the bill, because her home county had been "robbed" of timber jobs. She said she wanted to "push back the federal government." However, after hearing from her Sanders County Commissioners, she announced she was going to oppose SB 117. When the committee voted, the bill died 13-7 in a committee with a Republican majority.⁴⁵

While John Trochmann did not play a public role as SB 117 advanced through the legislative process, he was involved. While considering the bill on the Senate floor, senators received an e-mail from Trochmann asking them to support it. He said SB 117 would force "the Federal Government to communicate instead of dictate."⁴⁶ While he didn't testify before the Senate Local Government Committee, video showed Trochmann in the room with his Sanders County friends for the hearing on SB 117.⁴⁷

Hinkle Promotes Both Versions of County Supremacy

Sen. Greg Hinkle himself demonstrated the crossover between the two versions of county supremacy during the 2011 Montana Legislature. While he sponsored his bill directed at land use, he also carried a bill promoting the supremacy of the county sheriff.⁴⁸ The original version of his bill required federal agents to get written permission from the sheriff before making "an arrest, search or seizure." If an

agent didn't follow the protocol, the original bill required the county attorney to prosecute the agent for kidnapping, theft, or trespass.

In the Senate, the Montana Sheriffs and Peace Officers Association, Montana County Attorneys Association, and Montana Police Officers Association all opposed Hinkle's SB 114.⁴⁹ The only law enforcement officer to support it was the Trochmann-endorsed Sanders County Sheriff Tom Rummel. In written testimony submitted to the committee, Rummel stated the bill would make sure that people in Sanders County would "never have to live with, or endure, a federal debacle such as Ruby Ridge or Waco."⁵⁰ He also stated it would help him "monitor and control any Federal involvement within my county." In the House committee, Rummel's office continued to support the bill, as did the anti-government Oath Keepers.⁵¹ A much watered-down version of the bill did pass the legislature; however, Governor Brian Schweitzer vetoed it.

"SB 117 and SB 114 were two parts of the same ideology," says the Montana Human Rights Network's Travis McAdam. "Both epitomized county supremacy, and we don't think it's a coincident that Senator Hinkle sponsored both measures. In the minds of Hinkle, SNRC, and militia members, it made perfect sense. Use 'coordination' to get federal employees at the table, and, if they won't do what you want, have the sheriff lock them up. All Montanans can be glad neither of Hinkle's bills became law."

Legal Analysis of "Coordination"

The 2011 Montana Legislature raised more questions than it answered when it came to "coordination." Sen. Greg Hinkle repeatedly claimed that various federal laws both mandate and outline that federal agencies must engage in "coordination." He said the process was easy to implement. If a federal agency refused, he claimed, the county commission could contact the Justice Department, and the Justice Department would make the agency obey.⁵² Hinkle and numerous other proponents made it sound simple—draft a plan, send a letter invoking "coordination," and force federal agencies to comply.

The Montana Human Rights Network asked an attorney with a long history working in federal land management to analyze Hinkle's "coordination" bill and some of the supporting arguments. The entire analysis can be viewed at the Network's website.

The legal analysis concluded that Hinkle's bill, if it had become law, "would have no legal effect on federal land management." While the word "coordination" and variations of it do appear in federal statute and rulemaking, there isn't an option that gives counties the ability to overrule federal policies. In fact, the sections of policy that mention "coordination" specifically outline that federal agencies don't have to conform management plans to meet non-agency objectives or policies. For example, during recent rulemaking, the Forest Service determined that, to achieve the agency's goals related to stewardship of public lands, it couldn't be required to make federal land policy mirror local government plans.

What the legal analysis determined was that "coordination" (and not the kind promoted by Hinkle and others) is only required in the land-planning process as management plans are created. In regards to both the Forest Service and Bureau of Land Management, agencies promulgate binding federal

regulations to interpret how that "coordination" will be conducted. Courts will defer to this interpretation. If "coordination" supporters managed to file a lawsuit, the court would look to see whether the agencies complied with their authorizing statutes and regulations, not whether they complied with a unilaterally enacted county interpretation. The attorney who did the analysis for the Network noted it didn't matter if counties defined "coordination" in a different way, because any other definition would be "neither legally relevant nor binding."

The Federal Land Policy Management Act, which Hinkle and his allies frequently reference, is an example of how "coordination" gets distorted. The Act does state that the Interior Secretary shall "coordinate the land use inventory, planning, and management activities of or for such lands with the land use planning programs of other Federal departments and agencies and of States and local governments within which lands are located...." However, the Act is filled with qualifying language. The "coordination" mentioned can only be done if it is practical, upholds the laws governing public lands, and is consistent with federal law.

In short, the notion that federal agencies have to make their decisions follow county plans, as Hinkle and SNRC propose, has no basis in federal law or rulemaking. Local governments don't have the authority to change federal laws and rules. Counties have no authority to assume any control of federal lands, unless Congress granted that authority by waiving the Supremacy Clause. Hinkle and his supporters' claims have no factual or legal basis in federal law, which governs federal agency actions.

Throughout the regulations for federal agencies, it's important to note the emphasis put on agencies to provide plenty of opportunities for local governments, state officials, and individual community members to review, comment, offer input, and be meaningfully involved when it comes to creating land-use management plans. Counties have the ability to be active participants in this process. Many of the opponents to SB 117 referenced as much during their legislative testimony. However, it's important that Montana communities understand that, instead of possessing a silver bullet, Hinkle and his allies are shooting blanks. The only result of "coordination" will be lengthy and expensive lawsuits for counties based on legal arguments that have no foundation in law and are sure to lose.

Tours, Trainings, and Talking Heads in Montana

While much of the "coordination" energy originated in Sanders County, it wasn't limited to that area. In fact, national organizations are helping push the "coordination" idea, targeting county commissioners and legislators with trainings. One such group is the Texas-based American Stewards of Liberty.

American Stewards of Liberty (ASL) formed in 2009 with the merger of two "wise use" organizations: Stewards of the Range and the American Land Foundation.⁵³ An influential "wise use" group, Stewards of the Range began as a vehicle of Wayne Hage's \$28 million lawsuit against the federal government over grazing rights at his Nevada ranch.⁵⁴ Over the years, MOM has distributed information and updates related to the lawsuit.⁵⁵ In addition to the lawsuit, Hage wrote an influential "wise use" book as a project of the National Federal Lands Conference, the influential "wise use" group that promoted militia formation and MOM.⁵⁶

ASL has a direct line to the "coordination" efforts coming out of Sanders County. SNRC's Ron Olfert, in writing about the history of "coordination" in Montana, said it all began at a Stewards of the Range conference held in October 2006. Following that conference, Olfert said a group of 25 people came together to start the Sanders Natural Resource Council.⁵⁷ The connection between ASL and Montana's "coordination" activists continues to this day.

During the 2011 Montana Legislature, "coordination" supporters frequently invoked ASL and its activists. During the House hearing on his bill, Hinkle said his proposed legislation sought to enact the same type of "coordination" promoted by ASL.⁵⁸ Sanders County's Dick Wells submitted material from ASL's Fred Kelly Grant, whom Wells referred to as the "nationally-recognized" expert on "coordination."⁵⁹ In supporting Hinkle's bill, Ravalli County Commissioner Suzy Foss told a Senate committee she attended an ASL training the previous weekend.⁶⁰ Likewise, Rep. Bob Wagner (R-Harrison) told the House committee hearing the bill that he attended a training.⁶¹

Another ASL supporter during and legislative session, and beyond, is Madison County Commissioner Dan Happel. During the Senate hearing on the bill, Happel stated he was a member of ASL and submitted some of the group's materials to the committee.⁶² Later in 2011, he represented ASL at a conference advertised to county commissioners. Happel helps illustrate how many of the most vocal "coordination" supporters are also anti-government activists.

Happel has promoted the anti-government Oath Keepers and has been featured at the group's events.⁶³ He promotes "patriot" beliefs that gold and silver are the only legitimate currency. While testifying at the Montana Legislature on a bill requiring the State of Montana to back transactions with gold and silver coins, he told legislators that it was the "most important bill" of the session.⁶⁴ He presented on the currency topic at a Bozeman Tea Party event in April 2011, which also featured other well-known anti-government speakers.

Happel has also testified in support of legislation euphemistically supporting "states rights" that declared the federal government was acting unconstitutionally. These bills included language about secession and declared the income tax unconstitutional. They also implied that Montana would not have to follow federal court decisions that it deemed unconstitutional.⁶⁵

Happel hopes to keep extreme right-wing values in the Montana Republican Party's platform. In a report on the 2010 platform convention, he supported planks to repeal the 16th Amendment (income tax); to remove the US from the United Nations; and in support of "Birther" concerns regarding President Obama's citizenship.⁶⁶

In April 2011, the Ravalli County Commission signed a \$1,500 contract with ASL to assist in drafting "coordination" resolutions, policy statements, and letters to federal agencies about "coordination." In addition to the initial fee, the contract stated any other use of ASL's attorneys would cost \$150/hour.⁶⁷ The ASL contract came after four of the commissioners attended an ASL training on "coordination" in January 2011.⁶⁸ Ravalli County Commissioners have used "coordination" rhetoric regarding the creation of a natural resource policy and killing wolves.⁶⁹ In February 2012, a Ravalli County commissioner spoke at a "coordination" event in Missoula with ASL's Fred Kelly Grant that was sponsored by an Idaho organization, Trademark America.⁷⁰

American Stewards of Liberty is a national organization with a history of its activists promoting the two versions of county supremacy. It's been influential in promoting "coordination" in Montana. The Montana Human Rights Network argues that ASL doesn't have local government's best interests at heart. Instead, the Network believes ASL hopes a county commission in Montana will file a lawsuit against federal agencies that ASL can use as a test case. ASL wants local taxpayers to foot the bill for a costly experiment that, the Network believes, is unwinnable.

Bubbling Up in 2012 Campaigns: "Coordination" Even Surfaces in Gubernatorial Race

Not surprisingly, the "coordination" issue is a hot topic in Sanders County campaigns. Greg Hinkle, who could have run for re-election to his Montana Senate seat, decided to run for county commission. During his campaign, he's talked about how "coordination" could put the commission on "equal footing" with federal agencies and jumpstart natural resource jobs.⁷¹ When questioned about the connections between "coordination" and members of the Militia of Montana, Hinkle responded that MOM was just a business and then parroted the frequent anti-government talking points that everyone is a member of the militia.⁷²

Also at the local level, SNRC leader Ron Olfert was running for the county administrator position. This followed his unsuccessful run for county commission in 2010. However, Olfert passed away in mid-October, which likely means the incumbent will retain the office.⁷³

With Hinkle not running for re-election to the Montana Senate, SNRC turned to another supporter to run, Jennifer Fielder. On her website, Fielder lists herself as a SNRC board member.⁷⁴ During the campaign, she stated she helped SNRC with their public meetings earlier in the year that focused on how bear-management plans were supposedly being used to shut down areas to hunting, hiking, camping, and timber harvesting.⁷⁵

Advocating "coordination" wasn't relegated to just local and legislative races. During the Kalispell gubernatorial debate in mid-October, Rick Hill said that, as governor, his administration would help local and county governments "assert their coordination rights with the federal land managers." He said it was important that federal agencies "manage resources in a way that helps our economy." He complained that federal land managers had made decisions over the last two decades that gave Montanans "less and less access to those public lands." Later in the debate, Hill returned to "coordination," saying he wanted to help counties assert their "coordination rights as they fight federal agencies."⁷⁶

Hill's connection to right-wing extremists and ideas dates back to his campaign for the US House. While campaigning for his first term, Hill attended the "Freedom Rendezvous '96," where speakers included former law officers Jack McLamb and Richard Mack, both anti-government activists.⁷⁷ Presenters discussed the need to form militias to prepare for war with the federal government.⁷⁸ The event also featured "wise use" icon Wayne Hage as a speaker, who was described as being a "leading authority on 'private rights' in federal lands."⁷⁹

Unfortunately, it's not surprising that "coordination" is gaining traction in the Republican Party. Conservatives at the grassroots level, like in Sanders County, have taken up the issue and ferried it into

local Republican circles. This advocacy has pushed "coordination" up through party apparatuses. The Montana Republican Party platform currently includes language about supporting "coordination" efforts by "the State of Montana and its political subdivisions."

The problem for Montana and its communities is that, when it comes to "coordination," conservatives have adopted anti-government doctrine and are selling it as valid policy. "Coordination," as Trochmann, SNRC, Hinkle, Hill and others describe it, does not exist. By pushing counties to pursue this baseless policy, the only results will be increased anger at land managers and prolonged, costly, and unwinnable litigation.

As a county official in Arizona reported after his state adopted a "coordination" law, the only result was angry community members who thought county employees could use "coordination" to stop implementation of federal programs they didn't like.⁸⁰ Even a SNRC founder admitted that "the mechanics of how coordination is to be implemented are not written in federal law [emphasis in original]."⁸¹ The legal analysis commissioned by the Montana Human Rights Network echoes these views.

"Supporters of 'coordination' are engaged in a campaign based on emotion, misinformation, and disinformation," said the Montana Human Rights Network's Travis McAdam. "They've merely put a new face on the longtime anti-government doctrine of county supremacy. They're selling a bill of goods that will bring nothing but bankruptcy to local governments and more anger directed at community members who work for the federal government."

¹ Montana Human Rights Network and Coalition for Human Dignity, *Racist to the Roots: John Trochmann and the Militia of Montana*, 1995.

² Aryan Nations, press release, April 5, 1995.

³ Montana Human Rights Network, *Network News*, February 2004, p. 4.

⁴ Temple told a University of Montana class in 1997 that he was a national socialist.

⁵ Montana Human Rights Network and Coalition for Human Dignity, *Racist to the Roots: John Trochmann and the Militia of Montana*, 1995.

⁶ Southern Poverty Law Center, "Terror From the Right," *Intelligence Report*, Summer 2005; Militia Watchdog, "Calendars of Conspiracy," website, <http://www.adl.org/mwd/leo.asp>.

⁷ Montana Human Rights Network and Coalition for Human Dignity, *Racist to the Roots: John Trochmann and the Militia of Montana*, 1995.

⁸ Montana Human Rights Network, Newsflash #26, June 2000.

⁹ *Billings Gazette*, March 5, 1995; *Billings Gazette*, March 7, 1995; *Tobacco Valley News*, April 6, 1995.

¹⁰ Montana Human Rights Network, *Network News*, October 2005, p. 3.

¹¹ Montana Human Rights Network, *Network News*, June 2006, p. 3.

¹² Montana Human Rights Network, *Network News*, June 2006, p. 3; and *Network News*, October 2006, p. 12.

¹³ Ken Stern, *A Force Upon the Plain*, Simon and Schuster, 1996, p. 26.

¹⁴ *In These Times*, July 26, 1997.

¹⁵ Court TV, "After the Bombing, Militias Struggle to Redefine Themselves," April 20, 2001.

¹⁶ Southwest Environmental Center, *A Report on the County Movement*, Sept. 30, 1992; National Federal Lands Conference, *Federal Lands Update*, October 1994.

¹⁷ Western States Center, "The Wise Use Radicals," undated.

¹⁸ A few examples include: Militia of Montana, E-Mail Alerts, Oct. 13, 2000 and Feb. 16, 2001.

¹⁹ Montanans for Multiple Use, newsletter, January-February 2001.

²⁰ Montana Human Rights Network, archives, internal memo, July 10, 2004.

²¹ *Sanders County Ledger*, Oct. 18, 2012.

²² Ron Olfert, "Coordination: Coordination in Montana," Jan. 5, 2011.

²³ *Sanders County Ledger*, Oct. 18, 2012.

²⁴ *Ibid*; Sanders County Commission, website, <http://www.sanderscounty.mt.gov/Pages/CommishMinutes.html>.

- ²⁵ Sanders County Commission, website, <http://www.sanderscounty.mt.gov/Pages/Minutes2008.html>.
- ²⁶ *The Nation*, Oct. 23, 1995; *Great Falls Tribune*, undated; and *Esquire*, July 1995.
- ²⁷ Montana Human Rights Network, archives, notes from interview with former MOM member, Sept. 14, 2006.
- ²⁸ Montana Human Rights Network, "Church of True Israel's 'The Gathering,'" July 13, 2004.
- ²⁹ "John Trochmann 12/21/11 Interview," <http://www.youtube.com/watch?v=Jjr49nPEfVc>.
- ³⁰ Ibid.
- ³¹ "John Trochmann 12/21/11 Interview," <http://www.youtube.com/watch?v=Jjr49nPEfVc>.
- ³² *Missoulian*, June 10, 2012.
- ³³ Sen. Greg Hinkle, "Montana Coordination Act of 2011," Jan. 17, 2011.
- ³⁴ Montana Human Rights Network, archives, notes from SB 117 hearing, Senate Local Government Committee, Jan. 17, 2011.
- ³⁵ Ibid; Montana Human Rights Network, archives, notes from SB 117 hearing, House Local Government Committee, March 17, 2011;
- ³⁶ Ron Olfert, written testimony supporting SB 117, Senate Local Government Committee, Jan. 17, 2011.
- ³⁷ Montana Human Rights Network, archives, notes from SB 117 hearing, Senate Local Government Committee, Jan. 17, 2011.
- ³⁸ Montana Human Rights Network, archives, notes from SB 117 executive action, Senate Local Government Committee, Jan. 31, 2011.
- ³⁹ Montana Human Rights Network, archives, notes from Senate floor debate on SB 117, Feb. 4, 2011.
- ⁴⁰ Montana Human Rights Network, archives, notes from SB 117 hearing, House Local Government Committee, March 17, 2011.
- ⁴¹ Ibid.
- ⁴² Ibid.
- ⁴³ Craig Sullivan, written testimony submitted to the House Local Government Committee, March 17, 2011.
- ⁴⁴ Montana Human Rights Network, archives, notes from SB 117 executive action, House Local Government Committee, March 22, 2011.
- ⁴⁵ Ibid.
- ⁴⁶ John Trochmann, e-mail to Montana Senators, Feb. 4, 2011.
- ⁴⁷ "SB 117 – Dick Wells Testimony," http://www.youtube.com/watch?v=2ZwzIPJbqol&feature=youtu.be_gdata. John Trochmann can be seen in the lower right-hand corner of the video footage.
- ⁴⁸ 2011 Montana Legislature, Senate Bill 114.
- ⁴⁹ Montana Legislative Services, minutes from SB 114 hearing, Senate Judiciary Committee, Jan. 21, 2011.
- ⁵⁰ Ibid.
- ⁵¹ Montana Legislative Services, minutes from SB 114 hearing, House Judiciary Committee, March 17, 2011.
- ⁵² Montana Human Rights Network, archives, notes from debate over SB 117 on the Senate floor, Feb. 4, 2011.
- ⁵³ American Stewards of Liberty, website, "About Us," Nov. 2, 2012.
- ⁵⁴ American Stewards of Liberty, website, "History of Stewards of the Range," Nov. 2, 2012.
- ⁵⁵ Militia of Montana, E-Mail Alerts, Feb. 1, 2002, Dec. 24, 2002, Feb. 12, 2004, and May 7, 2004.
- ⁵⁶ Western States Center, "Extremists and the Anti-Environmental Lobby: Activities Since Oklahoma City" 1997.
- ⁵⁷ Ron Olfert, "Coordination: Coordination in Montana," Jan. 5, 2011.
- ⁵⁸ Montana Human Rights Network, archives, notes from SB 117 hearing, House Local Government Committee, March 17, 2011.
- ⁵⁹ Montana Human Rights Network, archives, notes from SB 117 hearing, Senate Local Government Committee, Jan. 17, 2011.
- ⁶⁰ Ibid.
- ⁶¹ Montana Human Rights Network, archives, notes from SB 117 hearing, House Local Government Committee, March 17, 2011.
- ⁶² Montana Human Rights Network, archives, notes from SB 117 hearing, Senate Local Government Committee, Jan. 17, 2011.
- ⁶³ Montana Oath Keepers, press release, Jan. 1, 2011; Montana Human Rights Network, archives, materials from Dan Happel campaign table, Oct. 20, 2010.
- ⁶⁴ Montana Legislative Services, video archive for House State Administration Committee hearing on HB 513, March 14, 2011.
- ⁶⁵ Montana Human Rights Network, archives, notes from HJ 26 hearing in House Judiciary, Feb. 23, 2009; Montana Human Rights Network, archives, notes from HR 3 hearing in House Judiciary, April 15, 2009.
- ⁶⁶ Dan Happel, "Dear Friends of Liberty," June 25, 2010.
- ⁶⁷ *Ravalli Republic*, April 4, 2011.
- ⁶⁸ *Ravalli Republic*, Jan. 17, 2011.
- ⁶⁹ *Ravalli Republic*, Nov. 10, 2011.
- ⁷⁰ Trademark America, Wolf Coordination Task Force Conference, event brochure, Feb. 18, 2012.
- ⁷¹ *Sanders County Ledger*, Oct. 18, 2012.
- ⁷² *Sanders County Ledger*, Oct. 11, 2012.
- ⁷³ *Missoulian*, Oct. 29, 2012.
- ⁷⁴ Jennifer Fielder, website, <http://getitrightmontana.com>, Oct. 30, 2012.
- ⁷⁵ *Sanders County Ledger*, Oct. 18, 2012; *Missoulian*, June 10, 2012.
- ⁷⁶ *Flathead Beacon*, video of gubernatorial debate, Oct. 18, 2012, http://www.flatheadbeacon.com/articles/article/replay_montana_governor_debate/30237/.
- ⁷⁷ *Billings Gazette*, Sept. 23, 1996; Freedom Rendezvous, event program, April 13-14, 1996.
- ⁷⁸ *Missoula Independent*, April 18, 1996.
- ⁷⁹ Freedom Rendezvous, event program, April 13-14, 1996.
- ⁸⁰ Craig Sullivan, written testimony submitted to the House Local Government Committee, March 17, 2011.
- ⁸¹ Ron Olfert, written testimony supporting SB 117, Senate Local Government Committee, Jan. 17, 2011.